

Exhibit 38
to Mao Declaration ISO
Plaintiffs' Motion for Leave to
Amend Complaint

Public Redacted Version

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA
MUNIZ, ELIZA CAMBA, SAL CATALDO,
EMIR GOENAGA, JULIAN SANTIAGO,
HAROLD NYANJOM, KELLIE NYANJOM,
AND SUSAN LYNN HARVEY,
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED,

PLAINTIFFS,

vs.

NO. 3:20-CV-04688

GOOGLE LLC,

DEFENDANT.

_____ /

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

VIDEOTAPED DEPOSITION OF ERIC MIRAGLIA

VIA REMOTE COUNSEL VIDEOCONFERENCE

TUESDAY, OCTOBER 25, 2022

VOLUME I

STENOGRAPHICALLY REPORTED BY:

MEGAN F. ALVAREZ, RPR, CSR No. 12470

JOB NO. 5545552; PAGES 1 - 243

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA
MUNIZ, ELIZA CAMBA, SAL CATALDO,
EMIR GOENAGA, JULIAN SANTIAGO,
HAROLD NYANJOM, KELLIE NYANJOM,
AND SUSAN LYNN HARVEY,
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED,

PLAINTIFFS,

vs.

NO. 3:20-CV-04688

GOOGLE LLC,
DEFENDANT.

_____/

Videotaped Videoconference Deposition of
ERIC MIRAGLIA, Volume I, taken on behalf of Plaintiffs,
VIA REMOTE COUNSEL. Deponent testifying from Durango,
Colorado, beginning at 9:02 a.m. and ending at 5:19 p.m.
Mountain Standard Time, on Tuesday, October 25, 2022,
before Megan F. Alvarez, RPR, Certified Shorthand
Reporter No. 12470.

1 APPEARANCES: (ALL PARTIES APPEARING VIA VIDEOCONFERENCE)

2
3 FOR PLAINTIFFS:

4 BY: ALEXANDER FRAWLEY, ESQ.

5 SUSMAN GODFREY LLP

6 1301 SIXTH AVENUE

7 NEW YORK, NEW YORK 10019

8 AFRAWLEY@SUSMANGODFREY.COM

9 AND

10 BY: MARK MAO, ESQ.

11 BOIES SCHILLER FLEXNER LLP

12 44 MONTGOMERY STREET

13 41ST FLOOR

14 SAN FRANCISCO, CALIFORNIA 94104

15 415.392.6800

16 MMAO@BSFLLP.COM

1 APPEARANCES: (CONTINUED)

2
3 FOR DEFENDANT GOOGLE:

4 BY: BENEDICT Y. HUR, ESQ.

5 HARRIS MATEEN, ESQ.

6 WILLKIE FARR & GALLAGHER LLP

7 ONE FRONT STREET, 34TH FLOOR

8 SAN FRANCISCO, CALIFORNIA 94111

9 415.858.7407

10 BHUR@WILLKIE.COM

11 HMATEEN@WILLKIE.COM

12
13 ALSO PRESENT:

14 JOHN JANHUNEN, GOOGLE IN-HOUSE COUNSEL

15
16 THE VIDEO OPERATOR:

17 SEAN GRANT, VERITEXT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

WITNESS	EXAMINATION
ERIC MIRAGLIA	
VOLUME I	
BY MR. FRAWLEY	19

--o0o--

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 99	E-mail dated 1/28/19 from Eric50 Miraglia to David Monsees, Subject: Go/n3:retention (...- In the interim, we still need WAA as..., Bates GOOG-RDGZ-00039338	
Exhibit 100	E-mail dated 6/8/18 from Eric54 Miraglia to Michael Segeritz, copying David Monsees, Jan-Philip Weber, Yurii Sushko, Subject: Re: sWAA significantly lower than other present opt-in UDC settings?, Bates GOOG-RDGZ-00145258 and 145259	
Exhibit 101	E-mail string, topmost dated64 10/22/16 from Eric Miraglia to Brad Bender, Branimir Dolicki, Jan-Philip Weber, copying Joshua Knox, Subject: Re: probublica article on Na 2.0, Bates GOOG-RDGZ-00150004 and 150005	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 102	E-mail string, topmost dated 3/8/16 from Wieland Holfelder to Rahul Roy-Chowdhury, copying Rachel Popkin, Elias Wald, Kay Chen, Darin Fisher, Tyler Odean, Sabine Borsay, Eric Miraglia, Subject: Re: Na [REDACTED] 2.0 Sundar review next week, Bates GOOG-RDGZ-00149573 through 149576	68
Exhibit 103	E-mail string, topmost dated 1/6/17 from Mahalia Miller to Debbie Blackwood, copying Eric Miraglia, Subject: Re: Issue 27172760: CB2: consider targeting some users with WAA off who never turned it off, with different consent text, Bates GOOG-RDGZ-00150067 through 150069	76

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 104	Document entitled "Draft:83 Documenting consent bump for translators," Bates GOOG-RDGZ-00149527 through 149533	
Exhibit 105	E-mail string, topmost dated101 6/10/16 from Jens Mueller to Jonathan McFie copying Greg Fair, Adam Wos, David Warren, Eric Miraglia, Felipe Lora, Mahalia Miller, Sara Walsh, Subject: Re: Effect of flipping SWAA, Bates GOOG-RDGZ-00149701 and 149702	
Exhibit 106	E-mail string, topmost dated121 10/11/19 from Dave Greenwood to Seb Grubb copying Greg Fair, Sam Heft-Luthy, Davis Treybig, Ryan Drake, Sagar Kamdar, Eric Miraglia, Liza Ma, Subject: Re: Android Privacy Advisor, Bates GOOG-RDGZ-00013767 through 13772	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 107	E-mail string, topmost dated125 11/29/18 from Giles Hogben to Dave Kleidermacher, copying Sammit Adhya, Bridget Brennan, Eric Miraglia, Subject: Re: incognito, Bates GOOG-RDGZ-00150939 through 150941	
Exhibit 108	Document entitled "N2 Roadshow132 Dec, Confidential, Spring 2016," Bates GOOG-RDGZ-00149889 through 149945	
Exhibit 109	Document entitled "WIP Copy Deck ...137 for N2 page 3, Transparency," Bates GOOG-RDGZ-00149585 through 149594	
Exhibit 110	Document entitled "Search," Bates ..147 GOOG-RDGZ-00150849 through 150896	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 111	Document entitled "Additional148 possible linkouts," Bates GOOG-RDGZ-00149617 through 149630	
Exhibit 112	E-mail string, topmost dated160 5/8/2020 from Dave Monsees to Sam Heft-Luthy, Eric Miraglia, Suneeti Vakharia, Vlad Adzic, copying Micha Segeritz, Reed La Botz, Catherine Wu, Jessica Gan Lee, Irene Nyavor, Micah Laaker, Subject: Re: Promoting retention setting in Privacy Checkup, Bates GOOG-RDGZ-00151485 through 151487	
Exhibit 113	Document entitled "Overview,"167 Google Search Incognito, Bates GOOG-RDGZ-00151674 through 151679	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 114	E-mail string, topmost dated170 3/14/17 from Kay Chen to Stephan Micklitz, copying Eric Miraglia, Martin Sramek, Dominic Battre, Sabine Borsay, Leslie Liu, Subject: Re: sWAA and CCT, Bates GOOG-RDGZ-00150083 through 150085	
Exhibit 115	E-mail string, topmost dated175 7/13/17 from Micha Segeritz to Eric Miraglia, copying Ayelet Benjamini, Greg Fair, Eric Hollingsworth, Vani Henderson, Chen Elkind, Ilan Caron, Subject: Re: UDC settings & Na [REDACTED] to Magic Eye?, Bates GOOG-RDGZ-00150204 through 150209	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 116	E-mail string, topmost dated177 5/23/17 from Yijian Bai to Emil Ochotta, copying Eric Miraglia, Jianjun Qiu, Xiaonan Zhang, Yibo Chen, Gary Sun, Chen Liu, Yihong Zhou, Eric Hollingsworth, Subject: Re: N2 consent bump percentage, Bates GOOG-RDGZ-00150195 through 150197	
Exhibit 117	E-mail dated 7/25/18 from Matt185 Holden to Shashidhar Thakur, Sam Heft-Luthy, Eric Miraglia, Stephanie Friedman, Walt Drummond, David Warren, et al., copying Jen Teixeira, Meredith Hoffer, Sergio Civetta, Crystal Dahlen, Subject: Notes: Privacy Advisor in Search [Product Review] - July 24, 2018, Bates GOOG-RDGZ-00116861 through 116866	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 118	E-mail string, topmost dated189 8/14/18 from Flavia Sekles to David Monsees, copying Marlo McGriff, Ali Lange, Aaron Stein, Eric Miraglia, Milana McCullagh, Jack Menzel, Subject: Re: AP Story on Location, Bates GOOG-RDGZ-00020740 through 20742	
Exhibit 119	Document entitled "PC 28192 Replacement Study Q1 2020," Bates GOOG-RDGZ-00118261 through 118266	
Exhibit 120	E-mail string, topmost dated195 7/20/2020 from Chris Ruemmler to David Monsees, copying Othar Hansson, Eric Miraglia, Greg Fair, Maya Grabovac, Subject: Re: My Activity Support/Viability, Bates GOOG-RDGZ-00043816 through 43818	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 121	Translation document, "Some new202 features for your Google Account," Bates GOOG-RDGZ-00149595 through 149602	
Exhibit 122	Translation document, "Some new205 features for your Google Account," Bates GOOG-RDGZ-00149603 through 149606	
Exhibit 123	Document entitled "Retention210 Controls Comprehension," Bates GOOG-RDGZ-00151992 through 152040	

EXHIBITS MARKED FOR IDENTIFICATION

No.	Description	Page
Exhibit 124	E-mail dated 6/9/2020 from Kevin ... Luu to Bryan Horling, Divya Sharma, Maxwell Mosley, Anand Degwekar, Matt Harren, Dave Monsees, Thomas Roessler, Philippe de Lurand Pierre-Paul, copying Eric Miraglia, Subject: [Updates] WAA-off Logging Changes: Modifying Gaia ID in WAA-off logs to prevents unintentional personalization, Bates GOOG-RDGZ-00151524 through 151526	219
Exhibit 125	Document entitled "UDC Web Settings revamp," Bates GOOG-RDGZ-00178539 through 178541	226
Exhibit 126	Document entitled "PDPO Do [REDACTED] Summit," Bates GOOG-RDGZ-00150449 through 150568	234

QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER

Page Line

No. No.

Q. All right. Mr. Miraglia, do you225 19
recall before the break I asked you
whether you're aware of any
regulator inquiries into WAA?

Page 16

TUESDAY, OCTOBER 25, 2022

9:02 A.M. (M.S.T.)

--o0o--

THE VIDEO OPERATOR: Good morning. We're 09:02:29
going on the record at 9:02 a.m., and the date is 09:02:30
October 25, 2022. 09:02:33

Please note that this deposition is being 09:02:37
conducted virtually. Quality of recording depends 09:02:38
on the quality of camera and Internet connection of 09:02:42
participants. What is seen from the witness and 09:02:45
heard on screen is what will be recorded. 09:02:48

Audio and video recording will continue to 09:02:51
take place unless all parties agree to go off the 09:02:53
record. 09:02:56

This is Media Unit Number 1 of the 09:02:57
video-recorded deposition of Eric Miraglia taken by 09:02:58
counsel for plaintiff in the matter of 09:03:01
Anibal Rodriguez, et al. vs. Google LLC, filed in 09:03:03
the United States District Court, Northern District 09:03:07
of California, san Francisco, Case 09:03:10
Number 3:20-CV-04688, and is being conducted 09:03:12
remotely using virtual technology. 09:03:20

My name is Sean Grant from the firm of 09:03:23

Page 17

1 Veritext. I'm the videographer. 09:03:26

2 The court reporter is Megan Alvarez, also 09:03:28

3 from Veritext. 09:03:29

4 I am not related to any party in this 09:03:30

5 action, nor am I financially interested in the 09:03:32

6 outcome. 09:03:35

7 If there are objections to proceeding, 09:03:36

8 please state them at the time of your appearance. 09:03:37

9 Counsel and all present, including 09:03:40

10 remotely, will now state their appearance and 09:03:41

11 affiliation for the record beginning with the 09:03:43

12 noticing attorney. 09:03:46

13 MR. FRAWLEY: Good morning. Alexander 09:03:50

14 Frawley from Susman Godfrey for the plaintiffs. 09:03:53

15 With me is my colleague Mark Mao from the 09:03:55

16 law firm of Boies Schiller Flexner. 09:03:59

17 MR. HUR: Good morning. Ben Hur from 09:04:01

18 Willkie Farr & Gallagher for defendant Google. 09:04:02

19 I'm here with my client, John Janhunnen, 09:04:05

20 from Google, and my colleague, Harris Mateen. 09:04:07

21 And, of course, also for the witness, 09:04:11

22 Eric Miraglia. 09:04:12

23 THE VIDEO OPERATOR: Thank you. 09:04:18

24 Will the certified court reporter please 09:04:18

25 swear the witness. 09:04:19

1		09:04:19
2	ERIC MIRAGLIA,	09:04:19
3	called as a witness by the Plaintiffs, having	09:04:19
4	been first duly sworn, was examined and	09:04:19
5	testified as follows:	09:04:41
6		09:04:41
7	--o0o--	09:04:41
8	EXAMINATION	
9	BY MR. FRAWLEY:	09:04:41
10	Q. Good morning, Mr. Miraglia.	09:04:42
11	A. Good morning.	09:04:44
12	Q. Could you please state your name for the	09:04:46
13	record?	09:04:47
14	A. Eric Miraglia.	09:04:49
15	Q. And, Mr. Miraglia, have you testified	09:04:50
16	before?	09:04:52
17	A. No.	09:04:54
18	Q. And do you -- do you understand that you	09:04:57
19	are under oath today?	09:04:58
20	A. I do.	09:05:00
21	Q. Is there any reason why you cannot testify	09:05:02
22	truthfully today?	09:05:06
23	A. No.	09:05:07
24	Q. And throughout today's deposition, if any	09:05:12
25	of my questions are unclear, would you please let me	09:05:13

1 MR. HUR: Alex, we've been going about an 11:15:24
2 hour. Do you want to take a break now? Do you want 11:15:26
3 o finish another -- one more exhibit? 11:15:27
4 MR. FRAWLEY: What would you like to do, 11:15:31
5 Mr. Miraglia? Totally up to you. 11:15:32
6 THE WITNESS: I'm totally good to proceed. 11:15:36
7 Whatever everybody wants to do. 11:15:39
8 MR. FRAWLEY: Okay. I'll do one more 11:15:41
9 document then, and then we can take a break. 11:15:43
10 Does that sound good to you, Mr. Miraglia? 11:15:46
11 THE WITNESS: Yes. 11:15:48
12 (Whereupon Exhibit 105 was marked for 01:06:31
13 identification.) 01:06:31
14 BY MR. FRAWLEY: 11:15:49
15 Q. Okay. So I just introduced an exhibit. I 11:15:49
16 forgot to put the stamps. We'll fix that later. 11:16:10
17 But please let me know when you have the unstamped 11:16:13
18 exhibit in front of you. 11:16:16
19 A. I see the -- the document. I'm going to 11:16:34
20 review it now. 11:16:34
21 (Witness reviewing document.) 11:16:35
22 BY MR. FRAWLEY:
23 Q. Okay. And, for the record, this will be 11:16:35
24 eventually be stamped Exhibit 105, Bates Number 11:16:36
25 GOOG-RDGZ-00149701. 11:16:40

1 A. Okay. Thank you. 11:18:01

2 Q. Sure. 11:18:02

3 I don't know if I'm going to pronounce the 11:18:05

4 name right, but you see the e-mail is from 11:18:07

5 Jens Miller -- Mueller? 11:18:10

6 A. Jens Mueller. 11:18:11

7 Q. Jens Mueller. 11:18:13

8 Okay. Who is Jens Mueller? 11:18:13

9 A. Jens was an engineer on the team working 11:18:18

10 on consent bump. 11:18:23

11 Q. Who is Jonathan McPhie? 11:18:25

12 A. Jonathan McPhie in 2016 was a product 11:18:32

13 manager. I don't recall whether he reported to me, 11:18:43

14 but he was working on this project with us. 11:18:46

15 Q. Which project you're referring to that he 11:18:54

16 was working on with you? 11:18:57

17 A. Na [REDACTED] 2.0. 11:18:58

18 Q. I think you might have mentioned him 11:19:02

19 before, but maybe you can tell me again. 11:19:04

20 Who is Greg Fair? 11:19:06

21 A. Greg Fair in 2016 was a product manager on 11:19:12

22 my team. 11:19:14

23 Q. And do you see the bottom e-mail in the 11:19:15

24 document, so the first e-mail, was an e-mail from 11:19:24

25 Ian -- sorry -- Jens Mueller? 11:19:27

1 A. I do. 11:19:31

2 Q. And do you see where -- is that he? Is 11:19:36

3 that right, he? 11:19:40

4 A. He. 11:19:41

5 Q. Do you see where he wrote: "When a user 11:19:42

6 accepts CB2, we're enabling sWAA"? 11:19:44

7 A. Yes. 11:19:54

8 Q. And then do you see on the next page where 11:19:54

9 he wrote: "I claim enabling sWAA means we collect 11:19:56

10 more data, Chrome history data, for example"? 11:20:01

11 Do you see that? 11:20:04

12 A. I do. 11:20:06

13 Q. And then do you see where he asks: "Is 11:20:07

14 this correct?" 11:20:09

15 A. I do. 11:20:12

16 Q. And then do you see where he goes on: "I 11:20:13

17 am confused by David's comments here," and then 11:20:15

18 there's a hyperlink? 11:20:17

19 A. I do. 11:20:20

20 Q. And then do you see where he continues: 11:20:21

21 "He is saying we are not collecting new types of 11:20:23

22 data"? 11:20:26

23 A. I see that, yes. 11:20:29

24 Q. Now, can you turn to the first page? 11:20:33

25 And do you see the e-mail in the middle of 11:20:39

Page 103

1 the page, Thursday, June 9, 2016, from Greg Fair? 11:20:42

2 A. I do. 11:20:48

3 Q. And -- oh, I'm sorry. While we are on the 11:20:51

4 other page, I should have asked you: If you know, 11:20:54

5 is that David Monsees when he's referring to 11:20:56

6 "David's comment"? 11:21:01

7 MR. HUR: Objection. Calls for 11:21:03

8 speculation. 11:21:03

9 THE WITNESS: I don't know for sure, no. 11:21:13

10 BY MR. FRAWLEY: 11:21:15

11 Q. Do you recall any other Davids who would 11:21:16

12 have been working on this project? 11:21:19

13 A. I do. 11:21:22

14 Q. Okay. Which other Davids? 11:21:23

15 A. David Warren was the lead writer for -- 11:21:30

16 Q. Now -- sorry. Now we can go back to that 11:21:38

17 Greg Fair e-mail that I was just asking -- about to 11:21:40

18 ask about a moment ago. 11:21:42

19 So Thursday, June 9, 2016, 9:59 a.m., 11:21:42

20 Greg Fair. 11:21:46

21 Do you see that e-mail? 11:21:48

22 A. I do. 11:21:48

23 Q. Do you see where he wrote: "I believe 11:21:49

24 this semantic difference here is that there are 11:21:51

25 different definitions of 'collect.' Jens, you are 11:21:53

Page 104

1 saying that 'collect' equals 'associate directly 11:21:58
2 with your GAIA and durably store in footprints.'" 11:22:01
3 Do you see that? 11:22:06
4 A. I do. 11:22:06
5 Q. And then do you see where you wrote: "The 11:22:07
6 data sources pulled into sWAA, however, are all 11:22:10
7 'collected' one way or another already, whether it 11:22:12
8 be via Chrome Sync or ads, cookies/profiles or 11:22:17
9 on-device local storage." 11:22:22
10 Do you see that? 11:22:25
11 A. I do. 11:22:26
12 Q. And then if you go up in the e-mail, do 11:22:30
13 you see there's an e-mail from Jonathan McPhie? 11:22:32
14 A. I do. 11:22:37
15 Q. And do you see where he wrote: "+1 to 11:22:40
16 what Greg said. Our definition of 'collect' is more 11:22:42
17 like 'stored' and can apply to things like local 11:22:46
18 Chrome history storage or storage of activity 11:22:50
19 against a pseudonymous identifier. From that 11:22:53
20 perspective, sWAA and CB2 is more about moving data 11:22:59
21 around and not about 'collecting' more data." 11:23:03
22 Do you see that? 11:23:08
23 A. I do. 11:23:08
24 Q. Do you agree with the statements that 11:23:09
25 Mr. McPhie expressed in this particular e-mail? 11:23:11

1 MR. HUR: Objection. Compound. Vague. 11:23:15
2 Foundation. 11:23:19
3 THE WITNESS: Alex, you're referring 11:23:33
4 specifically to the Jonathan McPhie 7:06 p.m., 11:23:35
5 June 9th e-mail? 11:23:40
6 BY MR. FRAWLEY: 11:23:42
7 Q. Yes, exactly. 11:23:42
8 A. Yes, I agree with -- I agree with that. 11:24:03
9 Q. Can you tell me, what is a pseudonymous 11:24:16
10 identifier? 11:24:25
11 A. A pseudonymous identifier -- and I'm going 11:24:25
12 to speak to you not as an engineer but as a product 11:24:35
13 manager context -- is at least semi-stable 11:24:39
14 identifier that can be used to link activity in a 11:24:42
15 session of some duration. 11:24:47
16 Q. Is pseudonymous different from anonymous? 11:24:53
17 MR. HUR: Objection. Calls for 11:25:02
18 speculation. Lacks foundation. 11:25:02
19 THE WITNESS: I would just share with you 11:25:06
20 my understanding. We're talking about technical 11:25:09
21 terms, and some of them have very different 11:25:11
22 contexts, have very specific definitions. 11:25:13
23 But, generally speaking, we would use 11:25:18
24 "anonymous" to refer to data that cannot be tied to 11:25:21
25 a data subject whereas pseudonymous data, in some 11:25:29

Page 106

1 cases, may be. 11:25:36

2 BY MR. FRAWLEY: 11:25:37

3 Q. How might, in some cases, pseudonymous 11:25:37

4 data be tied to a subject? 11:25:41

5 MR. HUR: Objection. Foundation. Calls 11:25:44

6 for speculation. 11:25:45

7 THE WITNESS: Pseudonymous data doesn't -- 11:25:59

8 again, at a very high level, very high level of 11:25:59

9 understanding for me. Pseudonymity is usually -- 11:26:02

10 usually referring to data that has not been 11:26:07

11 mathematically anonymized. And so there's always at 11:26:10

12 least the hypothetical possibility of 11:26:14

13 reidentification. 11:26:25

14 BY MR. FRAWLEY: 11:26:26

15 Q. If you know, when SWAA is off, would 11:26:27

16 Google store that data with pseudonymous 11:26:32

17 identifiers? 11:26:35

18 MR. HUR: Objection. Lacks foundation. 11:26:39

19 Vague. 11:26:39

20 THE WITNESS: Alex, at the very least, I 11:26:48

21 would have to say that it depends. And let me give 11:26:53

22 you one example. 11:26:58

23 Chrome -- Chrome Sync data would be stored 11:27:01

24 to GAIA even if SWAA was off. SWAA would then just 11:27:06

25 control the use of that data, if that makes sense. 11:27:13

Page 107

1 BY MR. FRAWLEY: 11:27:16

2 Q. And how does sWAA exactly control how the 11:27:48

3 data is used? 11:27:52

4 MR. HUR: Objection. Vague. Foundation. 11:27:54

5 THE WITNESS: If I have Chrome Sync turned 11:28:06

6 on -- let me qualify and just say a high-level 11:28:09

7 understanding evolves over time as Chrome evolves. 11:28:12

8 I'm giving you my -- my understanding sitting here. 11:28:16

9 Chrome Sync allows me to sync bookmarks 11:28:19

10 and history across different instances of Chrome, so 11:28:22

11 Chrome on my phone, Chrome on my laptop. 11:28:26

12 If sWAA is off, that data stays with 11:28:31

13 Chrome in terms of the way it's stored against my 11:28:34

14 GAIA. Supplemental Web & App Activity would allow, 11:28:38

15 for example, discover feed and search to use that 11:28:41

16 data to give me a better discover feed. 11:28:44

17 BY MR. FRAWLEY: 11:28:52

18 Q. Do you recall testifying earlier that a 11:28:53

19 pseudonymous identifier can be used to link activity 11:28:56

20 in a session of some duration? 11:28:57

21 A. Yes. 11:29:00

22 Q. So does linking activity have anything to 11:29:04

23 do with conversions? 11:29:08

24 MR. HUR: Objection. Vague. Foundation. 11:29:11

25 Calls for speculation. 11:29:12

Page 108